

member" (claim 153). It is respectfully submitted that those independent claims (and their dependent claims) are patentable over, for example, United States Patent No. 3,974,526 ("Dardik") for essentially the same reasons as those stated in regard to the independent claims in the Amendment submitted on June 7, 2001.

Furthermore, with regard to independent claims 117 and 129, Dardik does not teach or suggest the assemblies recited in each of those claims, which are constructed such that the assembly forms the portion of the body passageway after expansion of the expandable member (claim 117) or after deformation of the deformable member (claim 129). Dardik does not teach that the disclosed tissue and mesh form a portion of a body passageway after expansion or deformation of the mesh.

Additionally, with regard to independent claims 141 and 153, Dardik does not teach or suggest the recited methods including the steps of "expanding the expandable member subsequent to inserting the expandable member and the tissue into the body" (claim 141) or "deforming the deformable member subsequent to inserting the deformable member and the tissue into the body such that the deformable member maintains a deformed configuration" (claim 153). Indeed, Dardik provides no teaching whatsoever regarding expansion or deformation of the disclosed mesh after insertion into a body.

In view of the foregoing, it is respectfully submitted that the pending claims are allowable.

As stated in the earlier filed Amendment, Applicant respectfully requests an interview with the Examiner.


If Applicant has not accounted for any fees required by this Supplemental Amendment, the Commissioner is hereby authorized to charge the missing fees to our Deposit Account No.

19-0741. If Applicant has not accounted for a required extension of time under 37 C.F.R. § 1.136, that extension is requested and the corresponding fee should be charged to our Deposit Account.

Respectfully submitted,

June 14, 2001

Date



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